

Program Memo #1-2002
Protection and Safety

To: All Protection and Safety Staff

From: Ron Ross

Date: October 30, 2002

RE: Monthly Contact Requirements

This memo is a re-issuance of the August 30, 2002 memo, and includes modifications based on feedback from the field. The changes allow greater flexibility while maintaining the purpose of visits with children, families, and caregivers. For ease of identification, changes from the August memo are italicized.

Effective Date: Immediately

Regular in-person contact by the Protection and Safety Worker with children on his or her caseload and their parents, as well as with the caregiver for a child in out of home care is recognized as crucial to safety, permanency, and well being of the child. Such contact allows development of a positive, trusting relationship, and therefore provides a foundation for working together, planning together, and change. From the child's point of view, the contact can be reassurance to the child that someone is paying attention and that there is someone to turn to with questions and concerns. Regular contact by the same person assures that someone can observe changes in behavior, needs, progress, health, etc., over time. Having a relationship and knowing children and families increases the sense of urgency to assure permanency and enhances the ability to serve as team lead.

Based on the above, Protection and Safety Workers are required to have monthly in-person contact with children, families, and caregivers or "placement providers."

Note: Although not stated in each section below, the following apply:

- It is the responsibility of the assigned Protection and Safety Worker to make the required monthly contacts. There might be times when contact by that Worker might not be possible, and another Protection and Safety Worker or Protection and Safety Supervisor has a contact that would meet the requirements. This contact is acceptable. However, such practice should be the exception rather than the rule, as each Protection and Safety Worker is expected to make every effort to make the contacts personally rather than "by proxy." In these situations, it remains the responsibility of the assigned Protection and Safety Worker to assure that the contact occurs and is properly documented.
- Directives regarding contacts with wards include both HHS and HHS-OJS wards, except for wards placed at YRTC-K or YRTC-G. Directives regarding contacts with parents include parents of all wards, regardless of placement of the child.

A. Visits with Children: All state wards, all children placed in Nebraska under the auspices of the Interstate Compact on Placement of Children or *Interstate Compact on Juveniles* in non-facility placements, and all children in a voluntary CPS case will be seen by their Protection and Safety Worker at least once a month. These visits must be in-person. *At least*

every other month, the visit must take place wherever the ward resides, whether the child resides with a parent or relative, in a foster or adoptive home, in independent living, or in a facility. The visits in intervening months can be in an alternative setting such as court, school, parent's home, therapist's office, or worker's office. The worker will spend at least some portion of the visit talking with the child privately, discussing such issues as how the child is doing, any problems the child may be having, any concerns the child might want to raise, and plans for the child's future. For wards who are not verbal, due to age or disability, the Worker will observe and document the child's general growth, development, and behavior, and any concerns raised by the caregiver.

NOTE: If the ward cannot be contacted at the expected location, the Worker will notify his or her supervisor immediately, **in writing**. For wards on runaway status, the Worker will contact law enforcement at least monthly about the status of efforts to locate the ward, and will provide updated information to law enforcement as available. All contacts will be documented on N-FOCUS.

For wards placed out of the Service Area or local office area holding case management, it is acceptable that a courtesy Protection and Safety Worker or Supervisor does the monthly visit in the area where the child resides. It remains the responsibility of the Protection and Safety Worker assigned to the case to assure that a visit is held and that written documentation of the visit is placed on N-FOCUS on a monthly basis.

For wards placed out of state, a monthly in-person contact by the Protection and Safety Worker usually is not possible. Instead, the Worker can substitute a monthly phone contact with the ward. The Worker should explain to the child and caregiver that the call is to be held privately between himself or herself and the child rather than being monitored by the caregiver. For wards who are not verbal due to age or disability, the Worker must have monthly phone contact with the caregiver. In addition, for wards in non-facility placements in another state, the Worker is responsible for assuring that reports from the courtesy worker in the other state are received on a regular basis and reflect ongoing contact with the child. If progress reports are not received when expected, the Worker will contact the Interstate Compact Program Specialist in Protection and Safety for assistance.

Federal law requires that wards placed out of state in facilities be seen every twelve months by a Worker from HHS. Therefore, it is the responsibility of the Protection and Safety Worker to make an annual visit and document the contact with the ward on N-FOCUS or to assure that another Protection and Safety Worker makes the visit and does the documentation. These visits are to be coordinated through the Service Area's Protection and Safety Administrator to assure maximum use of Worker time and travel costs.

B. Visits with Parents: The assigned Protection and Safety Worker will have an in-person, face-to-face contact at least once per month with the parent(s) of a ward or parent(s) of a child in Nebraska under the auspices of the Interstate Compact on Placement of Children *or Interstate Compact on Juveniles* when the permanency objective is reunification. (When reunification is not the plan, but parental rights remain intact, a determination of the need for monthly contact should be determined on a case-by-case basis by the Worker and Supervisor, with consideration for the court-approved case plan and legal issues. *When parental rights no longer are intact, there usually will be no ongoing contacts with the parent.*) At least every other visit must be in the parent's home. *In the intervening months, visits can be in a setting such as court, school, therapist's office, or Worker's office, as long as the Worker spends time alone with the parent.* These visits will provide an opportunity for the Worker to include the parent in case planning and

assure that the parent is aware of what is happening with his or her child. *It is expected that if necessary, the Worker will negotiate with the parent regarding a visitation schedule that can accommodate both the Worker's and the parent's schedule.*

For parents in treatment: *When a parent is in treatment (which usually will mean drug or alcohol treatment) monthly phone contact by the Worker is acceptable in place of face-to-face contact.*

For parents who are incarcerated: *When a parent is incarcerated, phone contact by the Worker is acceptable in place of face-to-face contact. Frequency of contact will be determined by the Worker and Supervisor.*

For parents living outside of the Service Area or local office area holding case management: It is acceptable that the monthly visit be done by a courtesy Protection and Safety Worker in the area where the parent resides. It remains the responsibility of the assigned Protection and Safety Worker to assure that a visit is held and that documentation is completed on N-FOCUS.

For parents living out of State: When the child is not placed with the parent, it is acceptable that the monthly contact be made via telephone. When the child has been placed, the Worker is responsible for assuring the reports from the courtesy worker in the other state are received on a regular basis and reflect ongoing contact with the child. If progress reports are not received when expected, the Worker will contact the ICPC program in Central Office for assistance.

Failure of parent to have the required contact: *When a parent refuses to meet or have the required contacts with the Worker, or the parent cancels or misses appointments and the Worker, in consultation with the Supervisor, considers the refusals or cancellations to be without a justifiable reason, the Worker must document those facts in the case file. Examples of "justifiable reason" for canceling or missing a visit might be illness of the parent or another child of the parent who lives at home, or severe weather. When the parent refuses visits and contacts or continues to cancel or miss appointments without a justifiable reason, the Worker must consider whether reunification continues to be an appropriate permanency objective.*

C. Visits with Caregivers or Placement Providers: *Monthly, in-person contact is required with the caregiver of each ward in out of home care and each child in Nebraska in out of home care under the auspices of the Interstate Compact on Placement of Children (ICPC) or Interstate Compact on Juveniles (ICJ) and placed in Nebraska. At least every other month the visit must be face to face, in the caregiver's home. In the intervening months, the face to face contact can be somewhere other than in the home or facility, such as at a team meeting, in the Worker's Office, at school, etc. When the child is being cared for in a foster or adoptive home, these visits will provide an opportunity to find out if the caregiver needs additional support services and what questions the caregiver might have. When the child is in a foster or adoptive home, including a relative's home, the visit every other month can be made by a Resource Development Worker instead of the Protection and Safety Worker, with the stipulation that at least quarterly, the Protection and Safety Worker must make the visit to the home.*

For caregivers or placement providers located outside of the service area holding case management, it is acceptable that the monthly visit be done by a courtesy Protection and Safety Worker in the service area where the child resides. It remains the responsibility of the assigned Worker to assure that a visit is held and that the visit is appropriately documented on N-FOCUS.

For caregivers or placement providers located out of State, it is acceptable for the monthly contacts to be made via telephone. When the child is in a non-facility placement, the Worker is responsible for assuring that reports from the courtesy worker in the other state are received on a regular basis and reflect ongoing contact with the caregiver or placement provider. If progress reports are not sent as expected, the Worker should contact ICPC, Central Office, for assistance.

Refusal of Caregiver to have the required contact: *When the caregiver refuses to have the required contact with the Worker, or cancels or misses meetings, and the Worker, in consultation with the Supervisor, considers the refusals or cancellations to be without a justifiable reason, the Worker must document those facts in the case file and must consider whether it is appropriate for the child to remain with that caregiver.*

D. Documentation of Visits: Monthly contacts (*and information about attempted contacts that were not successful*) with children, parents, and caregivers or placement providers must be documented in the following manner, on N-FOCUS:

The following information must be included in the text of the narrative:

1. Location of Visit
2. Date of Visit
3. Type of Visit:
 - a. With Child(ren)
 - b. With Parent(s)-be specific, such as Mother, Father, Stepfather, etc.
 - c. With Provider
4. Who was at the visit
5. Observations of the Child and/or Parent and/or Provider and/or Family
6. Issues discussed
7. Actions needed

It is expected that the initial visit for each ward occur by Sept. 30, 2002, and monthly thereafter. If you have questions, please contact Suzanne Schied *or* Margaret Bitz.